

JAN 04 2006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF:

MARK A. HACKLER ET. AL.

CASE NO.: IM1315USNA

SERIAL NO.: 10/759,814

GROUP ART UNIT: 1752

FILED: JANUARY 15, 2004

EXAMINER: AMANDA C. WALKE

CONFIRMATION NO.: 8254

FOR: METHOD AND APPARATUS FOR THERMAL DEVELOPMENT

RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated October 18, 2005, reconsideration of this application is respectfully requested.

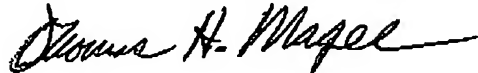
In response to the Examiner's requirement for restriction under 35 U.S.C. 121 between the Group I invention, method Claims 1 through 30 drawn to a method for forming a relief pattern, and the Group II invention, apparatus Claims 31 through 63 drawn to an apparatus for forming a relief pattern, Applicants elect with traverse to prosecute the Group II invention, apparatus Claims 31 through 63. These claims are submitted for consideration along with method Claims 1 through 30. In this application, the apparatus as claimed can not be used to practice another and materially different process. Nor can the process as claimed be practiced by another materially different apparatus or by hand. The Examiner has stated that conventional coating and heating processors, as discussed by Applicants on pages 2 and 3 of the specification, would be sufficient to perform the method as claimed. However, Applicants respectfully disagree since the claimed method specifically recites collecting the vapor at the heating station, and such conventional processors do not collect the vapor specifically at the heating station. Also, Section 806.05(e) of the M.P.E.P. states that if the apparatus claims include a claim to "means" for practicing the recited process steps (see Claims 1 and 31), then the apparatus claim is a linking claim and must be examined with the process claim. Thus, Applicants respectfully request that the requirement for restriction be withdrawn and that process Claims 1 through 30 be considered along with apparatus Claims 31 through 63.

Application No.: 10/759,814
Docket No.: IM1315USNA

Page 2

Reconsideration of this restriction requirement under 35 U.S.C. 121 and allowance of this application are respectfully requested.

Respectfully submitted,



THOMAS H. MAGEE
ATTORNEY FOR APPLICANTS
Registration No.: 27,355
Telephone: (302) 892-0795
Facsimile: (302) 892-7949

Dated: January 4, 2005